PASSING OF THE WALTZ.

THE GOOD OLD DANCE DISCARDED IN THIS UTILITARIAN AGE.

Difficulty Presented in Mastering Its Intrica-cies Cited as the Chief Cause of Its Downfall-The Less Graceful but Simpler Two-Step is Its Successor in Popular Favor.

To the carpet kuights whose dancing days came to an end a generation or more ago the announcement of the dancing masters at their convention last week that the waitz is no longer popular, must have come both as a surprise and shock. All the statistics, however seem to justify the declaration of the masters and to indicate that the good old waitz that became popular a hundred years ago, and was danced in Germany no one knows how many years before that, is giving way to the quicker and grandmothers learned only after patient practice has been succeeded by the two-step that a girl or boy can learn in two minutes of sidewalk dancing to the music of a hurdy-

gurdy.

It is not with any pleasure that the dancing masters make their semi-official announce-ment of the change, for to them the transition dances the waltz is the most difficult to learn and that fact alone has always made it profits ble for the teachers. Nowadars when knowl edge of the two-step is all that is required to enable a person to go through fully half of the list of dances at any function, there isn't apt to be such a demand for professional in-struction. Bo the masters protest and it will be no fault of theirs if the decline of the waltz is anything more than temporary.

Dealers in sheet music have the same story to tell. They declare that the demand for waltz music has been steadily decreasing for several years and that the sales of music written in two-fourths, four-fourths, and sixeighths time suitable for the two-step have increased in proportion.

There are almost as many theories advanced to explain the decline of the waltz as there are myths and legends relative to the origin o dancing. All are agreed, however, that the ease and quickness with which the two-step may be learned is the principal reason for its present popularity. Some of the old-timers who were in their ballroom prime ten years ago declare that the recent death of Strauss has had something to do with the case But the young folks laugh at this and say that Strauss was a back-number in this city long before he died, that his music was seldom played at dances, especially at fashionable ones, and that if there is any one now who should be called the "waltz king," it is Waldteufel. Another explanation is that the waitz has suffered the fate of the bicycle, only by a slower process. It became too popular and when prizes were given for the best "lady and gent waltzers" at Bowery festivities, it hart that particular dance in other parts of the

But this talk about the decline of the walts rule, applies to the large cities and to certain parts of them. There are some Fifth avenue authorities who do not agree with the average dancing master that the waltz is going out They admit, however, that the two-step is just as popular as the waltz even in their own limited circles. The dancing manager for Sherry's said yesterday that it was a case of half and "I am sure," he continued, "that I have found plenty of waltzing at all the summer places this season. Of course the city season hasn't opened yet and we can't tell what will her authority declared that one can't

thing about city dancing from what is a of town. "Why, I was in Newport a less years ago," said this dancing master, "and saw New York society people dancing polkas in the Casino. They wouldn't have thought o doing such a thing at home."

The dancing out of town is altogether different anyway, and the further out one goes the more he will learn about the dances that used to be popular in this city but are now forgotten. A young man from a New Hampshire village went to a dancing master in this city

"I want to learn the Portland Fancy" said the

What?" asked the dancing master. "Say that again. It brings up a lot of memories Why you must be forty years older than you look. I'm nearly sixty and haven't heard of a Portland Fancy since I was a boy."

Why they have teen dancing it for the last three winters up in my place" replied the man on New Hampshire. They think its great and don't even dance the Tempest now

The dancing master looked dreamy and reminiscent again. "The Tempest," he said half to himself. "I remember now. Every one in the room dances in the same set and they are her death a contest arose as to whether these

drawn up in two long lines." Yes, just like a big Virginia Reel," inter-

rupted the young man.
"And after the line-up the rest of the Tempest is sort of a stampede. Something like a football game, only instead of rushing at each other the two lines race up and down the hall. Bo you got through with that only three years ago up in your place, and then took up the Portland Fancy or something new ?"

Yes, but we like it and we've danced the Virginia feel for years and years. That's the only real and original American dance."

"No it isn't," said the dancing master.
"There isn't any real American dance, except perhaps the scalp dance and the sun dance of the North American Indians and they'll never be popular either on Fifth avenue or on the Bowery. The Virginia Real was arranged 200 years ago in England and the last name it was known by over there was the "Sir Roger de Coverly," and we renamed it the reel over here. All of our dances came from Europe just as they are now, or else they are modifications of the foreign article. The waltz, for instance, is of Slavic origin and worked its way through Germany. France and England to us. Lord Byron once wrote a denunciation of it. The polka was invented in 1831 by a girl in Bohemia. The redowa came from the same country and the mazourka had its origin in Poland, where the Russian solders took it up and then carried it home. And so on through the entire list of dances, old and new, square and round, all can be traced back to a foreign country."

POLICE GUARD AT A BRONX BRIDGE.

Intended to Held it Against a Trolley Line-Doubt as to its Effectiveness.

The residents of Williamsbridge have been witching with pleasure the extension of the main line of the Union Railway Company from Beilford Park to their village by way of Web-ater avenue. The work is completed nearly to hin avenue, the main street of Williamsbridge, through which it is the intention of the company to connect with the Mount Vernon branch at White Plains avenue. The latter avenue crosses the Bronx River by a bridge about 100 feet long and some thirty-five feet above the river bed.

The bridge is comparatively new, but was not built to carry trolley cars, and it is doubtful If the structure can stand the weight. Deputy Commissioner Mathew H. Moore, of the Deriment of Bridges of The Bronx, has decided take no changes, and he declines to issue a permit to the company to cross the bridge un-I his engineers have tested and reported on the strength of the structure. Meantime a pol ceman has been on duty night and day at the bridge since Thursday, to prevent the railroad men laying tracks on it. The police don't

What's the use of it?" the disgruntled policean asked. "The company 'll lay the tracks anyhow if they want to. How's that? Easy high. If they try to I arrest the foreman, ale I'm taking him to the station who's to vent the workmen laying the track and ng it down nice and snug agin I get back? The consensus of Williamsbridge opinion is

The consensus of Williamsbridge opinion is a fluctuation of the policeman is correct in his opinion, and that the village will have more rapid transit pretty soon.

The consensus of Williamsbridge opinion is own floor. Fingleton, it is a leged, struck Dayton three times with the hatchet, almost severing his nose from his factuation was taken to St. Mary's Hospital and Fingleton was arrested.

NOTES OF LEGAL EVENTS.

mortgage. Hence, the foreclosure of a mortgage

on a railroad, whatever may be the strictly legal

rights of the parties, is a proceeding which should

be conducted in the interests of all those who have

any rightful claims against the mertgaged prop-

erty, thus including creditors as well as the stock-

holders and bondholders. Hence, the Supreme

Court holds that where a bondholder desires to

foreclose and exclude general unsecured creditors

he may do so, provided the foreclosure also de-

prives the stockholders of all their interest in the

railroad property; but he cannot leave any interest

remaining in the stockholders unless the prior

rights of the general creditors of the railroad are

In some of the States of the Union, statutes

which provide for the incorporation of telegraph

companies, and which were enacted before the

telephone was known, have been held by the courts

authorize and permit the incorporation of tele-

phone companies. The correctness of several

decisions to this effect seems questionable in

view of the construction which the Supreme Court

of the United States has put upon the act of Con-

gress passed in 1886, conferring certain important

and extensive privileges upon "any telegraph

ompany now organized or which may here-

after be organized under the laws of any State

in this Union," The Court holds that this enact-

ment does not embrace a corporation formed to

carry on communication by telephone, which is clearly deistinguishable from communication by telegraph, in that one involves the trans-

mission of articulate speech while the other does not. As Mr. Justce Harlan points out, the ques-

tion is not what Congress might have done in

1866, or may do hereafter, but what was in the

mind of Congress when it enacted the statute.

Bell's invention was not made public until ten

years later, and in 1866 the word telegraph meant

only one thing, namely, that method of trans-

mitting intelligence which is still popularly known

In the opinion of the Supreme Court of the

United States in the suit by the Government

against the RioGrande Irrigation Company, which

was written by Mr. Justice Brewer and which we

find in the latest pamphlet number of the United

States Reports, is an interesting discussion of the extent to which the courts will take judicial

notice of geographical facts—that is, will

Judges as matters of common knowledge,

and without requiring any evidence to be

known treatise on the law of evidence states the rule to be that courts will generally

take notice of whatever ought to be generally

known within the limits of their jurisdiction. But

Mr. Justice Brewer observes that there is often much difficulty in determining what ought to be

generally known, and this has been the experi-

ence of the courts in regard to geographical ques-

tions. It has been held, however, that the Court

could take judicial notice of the geographical

position of New Orleans in order to determine

whether it was a place where the tide ebbed and flowed; and in another case the Supreme Court has

said: "We are supposed to know judicially the principal features of the geography of our coun-

try, and, as a part of it, what streams are public navigable waters of the United States." While

acquiescing in the correctness of this view, the

Court in the Rio Grande case refused to take judi cial notice of the particular point on that river

According to a decision rendered by the Su

preme Judicial Court of Massachusetts, it is still

the law in that State that a wife can acquire no

property by direct gift from her husband with the

exception of wearing apparel and a few other

classes of articles. In a suit to determine the

title to certain savings-bank deposits it appeared

a husband who gave them to his wife for her own

and that she in turn deposited them in the bank and was credited in her bankbook with the

amount of each deposit which she made. After

moneys formed a part of her estate or not, and

the Supreme Court sitting at Boston last week

answered the question in the affirmative, holding

that the wife was the agent of the husband to

deliver his earnings to the bank, and in his be-

half request the bank to agree to deliver the money

to her when she desired. This transaction gave

her, or her legal representatives, the right to re-cover the amount of the deposit from the bank.

although the money would not have become here

In Sylvan Beach, an incorporated village in

Oneida County, there is an ordinance forbidding

peddling within the village limits except upon

the payment of a small license fee. A viola-

tion of this ordinance is punishable by fine and imprisonment. A non-resident charged with

offending against its provisions was arrested, pleaded not guilty and was given opportunity to

find bail, but failing to do so, asked leave to change

his plea and pleaded guilty. He then paid the prescribed license fee and a fine of twenty five

dollars which was imposed upon him by the village Police Justice. He subsequently brought

a suit for false imprisonment against the presi-

dent, trustees, police justice, clerk and two po-

licemen of the village, on the ground that the pro-ceedings were wholly unlawful because the ordi

nance was an unreasonable regulation which the

village authorities had no power to enact or enforce.

He recovered a verdict, but it has been set aside

by the Appellate Division of the Supreme Court at Rochester, which holds that an action for faise

imprisonment cannot be maintained by one who

has been convicted of a crime upon a plea of guilty

The judgment of conviction it is said, based upon his own admission, established that his arrest

It seems that there is a sy cm of arbitration

n vogue in ngland for the settlement of business

lisputes in which each party appoints an arbi-

teatur who is really an advocate of the person

who appoints him. Of course the arbitrators

do not agree, and thy then choose an umpire

a case of this kind which re ently came before the Queen's Bench Division of the Hig : Court of

Justice, a majon was made to set saide the award on the ground of the misconduct of the

umpire. It appeared that he had received from one

of the arbitrators without the knowledge of the

other a document of an important character relat-

Judges held that this was enough to invalidate

the award, whether the paper actually influenced

the umpire or not. It was of such a nature that

the argument that the defeated party knew ver-

it might have affected his decision. As to

well that the arbitrator appointed by the other side

was in fact merely an advocate, and therefore

ought to take the consequences of entering into such an arrangement. Mr. Justice Darling said he was at a less to understand how

any persons, whether members of chambers

Hit His Neighbor with a Hatchet.

Mark's avenue. Brooklyn, went upstairs yea-terday to get some water. He carried a pall

and a hatchet. His neighbor, William H. Day-ton, 58 years old, ordered him down to his

Joseph Fingleton, 73 years old, of 1651 St.

tolerate tribunals of this description.

ing to the subject matter of the arbitration.

by whom the controversy is, in fact, decide

and detention were justifiable.

by a girt direct from her husband.

ney represented half the sa

where its navigability ceases.

as the telegraph.

GIRLS EDUCATED IN SWIMMING. School Board's Pupils Astonish Their In the recently reported case of the Louisville Mothers and Grandmothers.

Trust Company against the Louisville, New Albany and Chicago Railway Company, the Supreme Court of the United States, speaking As an experiment the Board of Education established this summer instruction in swimming for children at some of the free public baths. Some members of the board objected through Mr. Justice Brewer, has most clearly pointed out the distinctions which exist between to the experiment in the ground that it was useless, as all the boys who lived near the river the foreclosure of an ordinary mortgage on real estate and the foreclosure of a railroad mortgage In foreclosing a simple mortgage in the common would learn to awim without the city's aid. form upon land, the Court need consider only and the girls couldn't be taught anyway. This the mortgagor and the mortgagee and may treat latter theory was effectually disproved by an exthe claims of other parties, though hostile to both hibition given on Friday morning by the girl's litigants, as being outside the scope of the fore class of the free bath at the foot of West Fifty closure and to be dealt with, if at all, in separate suits. The fact that a railroad is an instrument first street where thirty girls varying in age from 12 to 20 years, swam and floated like so many amphibians under the supervision of of public service as well as private property has led Miss Helen M. Clarke, their instructor. the courts to adopt a different doctrine in railroad foreclosure proceedings, and to permit in such cases a limited preference in behalf of temporary unsecured creditors over those whose rights are declared by contract in the form of a recorded

Fancy swimming was not done, as the efforts of Miss Clarke have been thus far merely to teach her pupils to be self-supporting in the water. As she has had only two months in which to teach them, the proficiency the showed was remarkable. They swam easily and confidently, using the simple arm and leg motion and making good progress through the water, to the vast delight of the concourse of excited mothers, grandmothers and sisters who had been invited to be spectators. Instructor Lundstrom of the N. Y. Athletic Club, who was judge, praised the girls highly.

"They show that they have confidence themselves in the water," said he, "and that is the great thing. They don't get rattled and they swim easily, most of them. If one of those girls were to fall overboard she could keep herself up until help came. Some of them swin better than many of the youngsters in the boys

Miss Clarke, who is herself an expert swimmer, is enthusiastic over the work.
"This is only a primary class, you know," she said. "When these girls came to me in July they couldn't awim a stroke. The first thing to do, and about the hardest, was to get them over being afraid of the water. After a girl has first swallowed inadvertently several mouthfuls, or gone through the unpleasant experience of shuffing up a nose or two, she is likely to con sider that she's had a narrow escape from drowning, and it's difficult to cure her of the notion. On the other hand, a few take to the water naturally. Even the most timid of them can be taught with patience. The girls love the exercise and fun of it. I have had three mornings a week, and there's hardly been a morning that seventy-five girls haven't been in. One day we had one hundred and seven. As they become more expert I expect to teach them diving, swimming under water and other

feats. Of the thirty girls who swam on Friday, eighteen got a mark of 100 per cent, from Mr. Lundstrom. The boys of the swimming classes had their exhibition yesterday morning and proved themselves veritable water-rats Diving, somersaulting, swimming under water, swimming on the back, side stroke and racing were shown. The exhibition closed with some fancy swimming by Mr. Lundstrom which astonished the youngsters and gave them mate rial for future practice. The baths will probably be open until late in the month and it is thought that the Board of Education's lessons will be made a permanent institutions.

act upon the information possessed by the COL. BARTLETT OBJECTS TO HIS TAX. the Commissioners Have Unfairly Overvalued His Property. given on the subject Greenleaf in his well-

Col. Franklin Bartlett objects to the assessment which the Commissioners of Taxes have put on his property at 26 West Twentieth street as illegal, erroneous, unjust and unfair, by reason of over-valuation and also because it is at a higher proportionate valuation than that put on other property in the city. He obtained yesterday from Justice Scott of the Supreme Court a writ of certiorari to review the action Courta writ of certiorari to review the action of the Commissioners. The assessment is \$43,500, and Col. Bartlett says it should be reduced to \$45,000. He purchased the property in 1892, and declares that ever since then there has been an unjust and unfair discrimination against him in the valuation put on the property. Year after year it has increased, and he also cites a number of instances to show that the assessment on his property is higher than on other property in the neighborhood.

Letter Carriers Adjourn. SCHANTON, Pa., Sept. 9.-The Letter Carriers Convention concluded this afternoon, and nearly all the delegates have gone home. Detroit will have the next convention.

Business Notices.

Rheumatism and Gout oured in every case ince 1861. FAMOUS PRESCRIPTION 100.844. PHARMACY, 74 University place, New York. A Man Who Knows a Good Thing Will Al-ways insist on having CARL H. SCHULTZ'S pure and correct Mineral Waters and will take no other,

DIED. ALEXANDER.-At his home at Sea Bright, in the 80th year of his age, Henry Martyn Alexander of

Notice of funeral hereafter. BROWN .- Died. at Worcester, Mass., Sept. 6, Abel Swan Brown, aged 54 years, 2 months and 3 days. Relatives and friends are invited to attend funeral services from his late residence, 103 Penningto av., Passaic, N. J., on Sunday, Sept. 10, at 4 P. M. Carriages will be at Prospect street station, Passaic, on arrival of train leaving foot of Cham special train will leave Prospect street station,

Passaic, at 5:80. ARROLL.-On Thursday, Sept. 7, at Fishers Island, Alfred Ludlow, infant son of Morion Bowers and Bradish Johnson Carroll.

DONOHUE.—At the Plaza Hotel Saturday, Sept. 9, Catharine Donohue, widow of the late James Notice of funeral hereafter

HAGEMANN -On Saturday, Sept. 9, 1899, Sophie, widow of the late Henry W. Hagemans Relatives and friends are respectfully invited to

attend the funeral, from her late residence, and Summit av., Jersey City, on Monday, Sept. 11, at

THE KENSICO CEMETERY,—Private station, Har-lem Railroad; 43 minutes' ride from the Grand Central Depot. Office, 16 East 42d st.

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Arabian Lace Curtains Marie Antolnette

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Irish Point Bed Sets. Velour Portieres.

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Imports heavier than ever, and finer, too. Not a rug-weaving province of the East has been skipped-thousands of antique and modern pieces of beauty and worth are ready for you.

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10x13 in sizes. Kelems and Bagdads for couches and hangings. PATIENT WHO SPEAKS MAN I TONGUES has been living at 308 East Thirty-third

a Wanderer Since Boyhood. Haadji Raphael, an Egyptian, is in Bellevue Hospital suffering from abdominal trouble this country since 1893 when he came over to

school works and studio Young Egyptian Now in Bellevue Has Been street with his wife, who is also an Egyptian, and two children. From his earliest youth, Haadji says, he has had an overpowering desire to wander over the earth and to learn new lancaused by heavy lifting. He has been living in guages. He was born in Cairo twenty-nine years ago and can now converse fluently in the World's Fair in charge of an exhibit of English. French, Spanish, Italian, Turkish, Egyptian antiques. For some time recently he | Arabic and Greek.